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7 *Attorneys for Defendant Pro-Vigil, Inc.*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 JULIUS CZUDAR,

11 Plaintiff,

12 vs.

13 PRO-VIGIL, INC., a foreign Corporation
14 headquartered in Texas,

15 Defendant.

Case No.: 2:19-cv-01784-GMN-NJK

**DEFENDANT'S UNOPPOSED REQUEST
FOR EXCEPTION FROM ATTENDANCE
AT EARLY NEUTRAL EVALUATION**

16 Defendant PRO-VIGIL, INC. ("Pro-Vigil" or "Defendant"), by and through its counsel
17 Jackson Lewis P.C., respectfully requests an exception to the early neutral evaluation ("ENE")
18 attendance requirements. Specifically, Defendant requests that Defendant's insurance carrier be
19 excused from attending the ENE in person. The carrier representative will be available by
20 telephone.

21 This request for exception is based on the fact that, although Defendant is insured with
22 Hartford, Defendant has a substantial self-insured retention and any resolution of this matter at the
23 ENE will be funded by Defendant. In addition, the representative for Hartford is located out of
24 state and would be required to incur significant time and expense to travel to the ENE. The
25 insurance representative's absence will not adversely affect the ENE, and those present will have
26 the appropriate settlement authority to reach a reasonable resolution at the ENE. Counsel for
27 Defendant has discussed this request with counsel for Plaintiff, who has indicated that Plaintiff has
28 no objection to this request.

1 Based on the foregoing, Defendant respectfully requests Defendant's carrier be excused
2 from in person attendance at the ENE currently scheduled for March 19, 2019, at 9:00 a.m. The
3 carrier representative will be available telephonically.

4 Dated this 5th day of March, 2020.

5 JACKSON LEWIS P.C.

6 /s/ Phillip C. Thompson

7 LISA A. MCCLANE, ESQ.,

8 Nevada Bar No. 10139

9 PHILLIP C. THOMPSON, ESQ.

300 S. Fourth Street, Suite 900

Las Vegas, Nevada 89101

10 *Attorneys for Defendant Pro-Vigil, Inc.*

11
12
13 **ORDER**

14 IT IS SO ORDERED this 6th day of March 2020.

15 

16 U.S. District/Magistrate Judge

1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that I am an employee of Jackson Lewis P.C., and that on this 5th day
3 of March 2020, I caused to be served via the Court's CM/ECF Filing, a true and correct copy of the
4 above foregoing **DEFENDANT'S UNOPPOSED REQUEST FOR EXCEPTION FROM**
5 **ATTENDANCE AT EARLY NEUTRAL EVALUATION** properly addressed to the following:

6 Philip J. Trenchak
7 phil@mullinstrenchak.com
8 Victoria C. Mullins
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10 MULLINS & TRENCHAK
11 1614 S. Maryland Parkway
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13 *Attorneys for Plaintiff*
14 *Julius Czudar*

15 /s/ Mayela E. McArthur
16 Employee of Jackson Lewis P.C

17 4842-5185-0678, v. 1